

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

Dejavone Lee Woods,

Plaintiff,

Case No. 17-0170

v.

Judith E. Levy

United States District Judge

Brandon O'Kelley, *et al.*,

Mag. Judge Barbara D. Holmes

Defendant.

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**ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT  
AND RECOMMENDATION [28], GRANTING DEFENDANTS'  
MOTION TO DISMISS [15], AND DENYING PLAINTIFF'S  
MOTION FOR LEAVE TO AMEND THE COMPLAINT [25]**

This matter is before the Court on Magistrate Judge Barbara D. Holmes's August 23, 2017 Report and Recommendation (Dkt. 28), recommending that defendants' motion to dismiss (Dkt. 15) be granted, plaintiff's motion for leave to amend the complaint (Dkt. 25) be denied, and that this action be dismissed with prejudice.

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation, and finds that it is well-reasoned and supported by the relevant law. The law provides that either party may serve and

file written objections “[w]ithin fourteen days after being served with a copy” of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a “*de novo* determination of those portions of the report ... to which objection is made.” *Id.* Neither party filed any objections to Magistrate Judge Holmes's Report and Recommendation, and the time to do so has expired. Where, as here, neither party objects to the Report and Recommendation, the District Court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will, therefore, adopt the Magistrate Judge's Report and Recommendation of August 23, 2017, as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby ORDERED that:

Magistrate Judge Holmes's Report and Recommendation (Dkt. 41) of June 23, 2017 is ADOPTED;

Defendants' motion to dismiss (Dkt. 15) is GRANTED;

Plaintiff's motion for leave to amend the complaint (Dkt. 25) is DENIED; and

This case is hereby DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

Dated: November 1, 2017  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge  
Sitting by Special Designation